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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/011,634	04/03/1998	MARC ARONHIME	P16370	1164
7590	11/24/2003		EXAMINER	
William H. Dippert Reed Smith LLP 599 Lexington Avenue 29th Floor New York, NY 10022			HESS, BRUCE H	
			ART UNIT	PAPER NUMBER
			1774	
			DATE MAILED: 11/24/2003	

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Please find below and/or attached an Office communication concerning this application or proceeding.

C2038

Office Action Summary	Application No. 09/011,634	Applicant(s) Aronhime et al.
	Examiner Bruce Hess	Group Art Unit 1774

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- Responsive to communication(s) filed on 7-24-03 (Amendment)
- This action is FINAL.
- Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 1 1; 453 O.G. 213.

Disposition of Claims

- Claim(s) 29-45, 66-76 and 80-84 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- Claim(s) _____ is/are allowed.
- Claim(s) 29-45, 66-76 and 80-84 is/are rejected.
- Claim(s) _____ is/are objected to.
- Claim(s) _____ are subject to restriction or election requirement

Application Papers

- The proposed drawing correction, filed on _____ is approved disapproved.
- The drawing(s) filed on _____ is/are objected to by the Examiner
- The specification is objected to by the Examiner.
- The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- All Some* None of the:
- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. _____.
- Copies of the certified copies of the priority documents have been received
in this national stage application from the International Bureau (PCT Rule 17.2(a))

*Certified copies not received: _____

Attachment(s)

- Information Disclosure Statement(s), PTO-1449, Paper No(s). _____ Interview Summary, PTO-413
- Notice of Reference(s) Cited, PTO-892 Notice of Informal Patent Application, PTO-152
- Notice of Draftsperson's Patent Drawing Review, PTO-948 Other _____

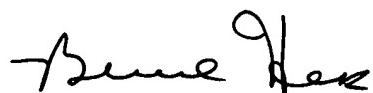
Office Action Summary

1. Upon reconsideration, all previous rejections of record are no longer adhered to.
2. Claims 29-45, 66-76 and 80-84 are rejected under 35 USC 112 (first paragraph) as being broader than the enabling disclosure as a result of applicants' failure to recite that the outer release layer has a thickness of less than 1 mm and contains less than 10% silicone oil and 4% filler material.

Applicants' showing of "non-tackiness" is limited to the use of materials having the above parameters. Absent these parameters, there is no basis of support for the present "non-tacky" recitation.

3. Claims 29, 35-41, 76 and 80-84 are recited under 35 USC 102(b) as being anticipated by applicants' statement of the prior art.

These claims read on a compound (i.e. a condensation cured silicone which is an acknowledged known material) on a generic base layer. As known compounds, it is inherent that condensation cured silicones have come into contact with a substrate (i.e., a "base layer"). Such a structure (i.e., a known compound on a generic substrate) reads on the articles recited in claims 29, 35-41, 76 and 80-84. Since "less than" includes zero %, claims 35-41 and 80-82 are also anticipated.



BRUCE H. HESS
PRIMARY EXAMINER